

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Blaine D. Gaither et al

Confirmation No.: 5798

Application No.: 10/004195

Examiner: Elmore, Reba

Filing Date: Oct 31, 2001

Group Art Unit: 2187

Title: Computer Performance Improvement By Adjusting A Time Used For Preemptive Eviction
Of Cache Entries

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

JUN 03 2005

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the
examiner dated, 04/04/2005, rejecting the following claims 1-8.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- () (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for
the total number of months checked below:
- | | |
|------------------|-----------|
| () one month | \$120.00 |
| () two months | \$450.00 |
| () three months | \$1020.00 |
| () four months | \$1590.00 |

() The extension fee has already been filed in this application.

- (X) (b) Applicant believes that no extension of time is required. However, this conditional petition is
being made to provide for the possibility that applicant has inadvertently overlooked the need
for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$500.00. At any time during
the pendency of this application, please charge any fees required or credit any over payment to
Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit
Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the
Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- () I hereby certify that this correspondence is being
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- (X) I hereby certify that this paper is being transmitted
to the Patent and Trademark Office facsimile
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Number of pages: 1

Typed Name: Donna M Kraft

Signature: Donna M Kraft

Respectfully submitted,

Blaine D. Gaither et al

By A. W. Winfield
Augustus W Winfield

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Date: June 3, 2005

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